

Plain English Summary
Of Missouri Ethics Laws
For Candidates For
Election To Office
In Missouri



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This Guide is intended to provide a summary of the Missouri Ethics Laws that will affect the activity of individuals who are or may become a candidate for elective office at the State, County, Municipal or Special District level in Missouri. For the Laws' complete requirements consult Chapters 105 and 130 RSMo.

IMPORTANT

All Financial Disclosure Statements and Campaign Finance Reports, if mailed, MUST be POSTMARKED by midnight the day PRIOR to the DUE DATE.

PERSONAL FINANCIAL DISCLOSURE STATEMENT

Forms and instructions are available at <http://www.moethics.state.mo.us>.

The filing of this statement is based on the principle that information concerning a possible conflict of interest should be available to the public.

The statement must be filed with the Missouri Ethics Commission for any:

Statewide Office, Missouri Senate and House of Representatives, and non-incumbent candidates for Circuit or Associate Circuit Judges.

Incumbent Judges must file this report with the Clerk of the Supreme Court.

Candidates for office in political subdivisions with an **annual operating budget over one million dollars** must file with the Ethics Commission unless the subdivision has adopted its own ordinance or resolution regarding conflicts of interest, and has filed a copy with the Ethics Commission. *However*, any candidate having a transaction with the subdivision in an amount of over \$500.00 per transaction must file a personal financial disclosure statement with this office and with the local election authority.

Candidates for office in a political subdivision with an **annual operating budget under one million dollars** are not required to file a personal financial disclosure statement.

PFD Filing Deadlines For Candidates

Statutory Election Dates	Closing Date of Filing For Candidacy	If Not Filed By This Date \$10.00 Per Day Fine Until Received	If Not Filed By This Date Candidate Disqualified and REMOVED From The Ballot
February 8, 2005	November 23, 2004	December 7, 2004	December 14, 2004
March 8, 2005	December 21, 2004	January 4, 2005	January 11, 2005
April 5, 2005	January 18, 2005	February 1, 2005	February 8, 2005
June 7, 2005	March 22, 2005	April 5, 2005	April 12, 2005
August 2, 2005	May 17, 2005	May 31, 2005	June 7, 2005
November 8, 2005	August 23, 2005	September 6, 2005	September 13, 2005

The previous chart indicates the dates that the financial statement must be filed with the Missouri Ethics Commission. Also the chart indicates the actions that will be taken by the Missouri Ethics Commission if the statement is not filed by either of two specific date deadlines.

If you are unsure if something should be disclosed, there is no penalty for over disclosure. This may also avoid the appearance of concealing possible conflicts of interest.

NOTE: All Financial Disclosure Statements and Campaign Finance Reports, if mailed, MUST be POSTMARKED by midnight the day PRIOR to the DUE DATE.

CAMPAIGN FINANCE

Forms, instructions and brochures are available at <http://www.moethics.state.mo.us>.

Every candidate shall maintain records of each contribution received or expenditure made in support of his/her candidacy (including the candidate's own money).

The reporting requirements for candidates cover two separate areas, - what reports are required to be filed and where the reports are to be filed.

Reports To Be Filed and Due Dates

<u>2005 Election Date</u>	<u>Feb 8</u>	<u>Mar 8</u>	<u>Apr 5</u>	<u>Jun 7</u>	<u>Aug 2</u>	<u>Nov 8</u>
Last Day to Organize a Committee	Jan 9	Feb 6	Mar 6	May 8	Jul 3	Oct 9
40 Day Before Report						
Closing Date	n/a	Jan 22	Feb 19	Apr 23	n/a	n/a
Due Date	n/a	Jan 27	Feb 24	Apr 28	n/a	n/a
8 Day Before Report						
Closing Date	Jan 27	Feb 24	Mar 24	May 26	Jul 21	Oct 27
Due Date	Jan 31	Feb 28	Mar 28	May 30	Jul 25	Oct 31
30 Day After Report						
Closing Date	Mar 5	Apr 2	Apr 30	Jul 2	Aug 27	Dec 3
Due Date	Mar 10	Apr 7	May 5	Jul 7	Sep 1	Dec 8

Quarterly Reports

Closing Date:	n/a	Mar 31	Jun 30	Sep 30
Due Date:	n/a	Apr 15	Jul 15	Oct 15

*If the report is not received by the due date a **\$10/day** penalty will be assessed **EXCEPT** for the **8 Day Before Report** which is **\$100/day** for the first 8 days and then \$10/day thereafter.*

Where To File Campaign Finance Reports

<u>Office Sought</u>	<u>Appropriate Officer</u>
Office in special purpose district (school, fire, ambulance, etc.); Municipal Office in city with a population of 100,000 or less; County Office in county with a population of 100,000 or less (except County Clerk).	County Clerk for candidate's place of residence, except that in a city or county having a board of election commissioners the board shall be the local election authority.
Municipal Office in a city with a population of more than 100,000; County Office in a county with a population of more than 100,000; County Clerk, regardless of population; General Assembly, Partisan Circuit Court Judge, or Partisan Associate Circuit Court Judge.	Missouri Ethics Commission, AND County Clerk for candidate's place of residence, except that in a city or county having a board of election commissioners, the board shall be the local election authority.
Statewide Office	Missouri Ethics Commission
Federal Candidates	Federal Election Commission

I. **A candidate for Statewide Office, General Assembly or Municipal office in a city with a population of more than 100,000 SHALL**, no later than the first reporting date after the deadline to file a declaration of candidacy, **either**:

1. File a Statement of Exemption that the candidate does not intend to either receive contributions or make expenditures in the aggregate of more than \$500 or receive contributions from any single contributor, other than the candidate, that aggregate more than \$300 and that the total of all contributions received or expenditures made by the candidate and all committees or any other person with the candidate's knowledge and consent in support of the candidacy will not exceed \$500; **or**,
2. File a Statement of Committee Organization and subsequent campaign finance disclosure reports. *The last day to reject an exemption and form a committee is 30 days prior to the date of the election.*

II. **All other candidates for public office ARE NOT** required to file a statement of exemption in order to be exempt from filing campaign finance disclosure reports **if** the aggregate of contributions received or expenditures made by the candidate and any other person, with the candidate's knowledge and consent, in support of the person's candidacy **does not exceed \$1,000** and the aggregate of contributions from any single contributor **does not exceed \$300**.

However, if either of these thresholds (\$1,000/\$300) **is exceeded** the candidate is required to file a Statement of Committee Organization **within 20 days** of exceeding the thresholds with the Missouri Ethics Commission or the appropriate election authority. **IMPORTANT:** *The last day a committee may be formed is 30 days prior to the date of the election.*

Political Advertising

- I. **Printed matter shall include** any sign, including signs for display on motor vehicles, advertisement, and any advertisement in any newspaper or other periodical, pamphlet, circular, handbill, sample ballot or other imprinted or lettered material.

Requirement

Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office or any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor.

- a. Printed matter that is paid for by a candidate who has not formed a committee, print the first and last name by which the candidate is known.
- b. Printed matter that is paid for by a committee, print the name of the committee as registered with the appropriate election authority and the name and title of the committee treasurer who was serving when the printed matter was paid for.
- c. Printed matter that is paid for by a corporation, or other business entity, labor organization, or any other organization not defined to be a committee, print the name of the entity, the name and title of the principal officer of the entity, by whatever title known, and the mailing address of the entity.
- d. Printed matter that is paid for by an individual or individuals, print the name of the individual or individuals and the respective mailing address or addresses. If more than five individuals join in paying for the printed matter it shall be sufficient to print the words "For a list of sponsors contact:" followed by the name and address of one such individual who shall be responsible for causing the matter to be printed and the individual identified shall maintain a record of the names and amounts paid by other individuals.

- II. **Exclusions** from printed matter – For the purpose of the campaign finance disclosure law, printed matter **does not include** any items of personal use given away or sold, such as campaign buttons, pencils or clothing, which is paid for by a candidate or committee.

- III. Radio and Television Advertisement – Any broadcast station transmitting any matter relative to any candidate for public office or ballot measure shall identify the sponsor of such matters as required by federal law.

Contribution Limits for Candidates and Candidate Committees

A list of the current adjusted contribution limits may be found on the Commission's web site: <http://www.moethics.state.mo.us>.

CONFLICT OF INTEREST

The general provisions of the law as they apply to candidates provide that an elected official cannot use his/her office for financial gain for him/herself, spouse or dependent children; cannot vote to hire any person related to the fourth degree by blood or marriage. (i.e. great grandparent to first cousin)

The elected official, nor any company or partnership that the official has more than a ten percent (10%) interest in, cannot perform a service for the political subdivision for pay of more than \$500 per transaction or \$1,500 per year unless the service is bid and the official, company or partnership is the lowest bidder. This also applies to the sale, rent or lease of property to the political subdivision.

Elected officials cannot vote for or against any measure if they have received or have been promised any gift or payment of any item of value nor may they receive anything of value to influence the action of the political subdivision.

COMPLAINTS

Forms and instructions are available at <http://www.moethics.state.mo.us>.

Any individual may file a complaint with the Missouri Ethics Commission if that individual believes any candidate or other individual has violated the campaign finance disclosure laws, the personal financial disclosure laws, the conflict of interest laws, the lobby laws, or any order, ordinance or resolution dealing with the official conduct of officials. Any complaint against a candidate alleging a violation of the conflict of interest or lobbying laws will not be accepted by the Ethics Commission from sixty days prior to the primary until after the date of the general election. All complaints must be in writing and must be sworn to under penalty of perjury by the complainant.

Other laws within the jurisdiction of the Missouri Ethics Commission:

LOBBYING

Forms and instructions are available at <http://www.moethics.state.mo.us>

There are three types of lobbyists: legislative, executive, and judicial. Any person who attempts to influence the action of government in these branches may be a lobbyist. See section 105.470, RSMo for the definition of a lobbyist. Each lobbyist must register with the Missouri Ethics Commission. The registration fee is \$10. Each lobbyist must file a monthly report stating whether or not they spent money on elected officials, their families or their staff. Failure to file the monthly statement will result in a \$10 per day late fee. Lobbyists may terminate their status at any time.